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HOUSE BILL 301
By McMillan

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 38, relative to establishing Victim Specialist Certification in Tennessee.

WHEREAS, the General Assembly desires to recognize those who have reached and maintained a professional standard in the delivery of crime victim services; and

WHEREAS, the General Assembly desires to standardize and provide consistency in the delivery of information and services to victims of crime; and

WHEREAS, the General Assembly desires to ensure quality of performance by trained, competent and ethical persons for the benefit of those who have been victimized by crime; and

WHEREAS, it is the desire of the General Assembly to enhance the professional recognition of Victim Specialists in Tennessee; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 38, is amended by adding Sections 2 through 7 of this act as a new, appropriately designated part.

SECTION 2. The General Assembly finds and declares that those individuals who have reached and maintained a certain professional standard, received standard minimum training, and demonstrated competency and ethics in the delivery of crime victim services, shall be

certified as a "Victim Specialist". This act shall be known and may be cited as the "Victim Specialist Certification Act". Failure to achieve this certification does not prevent an individual from working with victims.

SECTION 3. Victim Specialist Certification may be issued or withdrawn by the "Tennessee Victim Specialist Certification Board," hereinafter referred to as "the board." The board's membership, appointment and duties shall be as follows:

(a) The board shall consist of nine (9) members, three (3) from each Grand Division of the State, who shall serve three (3) year staggered terms. Each member shall be at least twenty-one (21) years of age, a citizen of Tennessee, and knowledgeable in the field of crime victimization. Members shall have the same immunity and entitlements as members of other state boards and agencies.

(b) Appointments to the board shall be made by the State Attorney General and Reporter; the Commissioner of the Department of Correction; and the Executive Director of the Tennessee District Attorneys General Conference, who shall each appoint one (1) member from each Grand Division. Initial appointments shall be one-third appointed for one (1) year, one-third appointed for two (2) years and one-third appointed for three (3) years. Thereafter, one-third of the Board will be appointed annually for three (3) year terms.

(c) The board shall be assisted by the statewide Victim-Witness Coordinator with the Tennessee District Attorneys General Conference, and shall meet at least annually or as often as necessary, to:

- (1) Select a chair and make appointments of responsibilities within the board;
- (2) Certify Victim Specialists who meet requirements;
- (3) De-certify those who no longer meet requirements;

(4) Promote educational opportunities and approve training programs or curriculum;

(5) Develop and promulgate professional ethics and standards;

(6) Promote the establishment and maintenance of ethical and quality services to victims of crime;

(7) Approve forms, kits, and other items necessary to the certification process;

(8) Establish minimum application fees and seek necessary grants or funding for victims programs; and

(9) Conduct other business necessary to performing its duties.

SECTION 4. In order to grant Victim Specialist certification, the board must determine that an applicant meets the following requirements:

(a) Have an approved application;

(b) Have an approved resume;

(c) Be a citizen of Tennessee;

(d) Be at least twenty-one (21) years of age;

(e) Be in compliance with professional ethics and standards;

(f) Have no felony convictions;

(g) Have a minimum of a high school education;

(h) Have at least three (3) years of approved applied work experience;

(i) Have at least five hundred (500) hours of approved work experience in crime victimization;

(j) Have at least two (2) letters of recommendation from officials having the responsibility of delivering crime victim's services where the specialist resides or intends to practice;

(k) Within two (2) years of application have completed at least forty (40) hours of in-service, continuing education or academic courses, ten (10) of which may be approved elective courses and thirty (30) of which must be approved in all of the following core areas:

- (1) orientation to the criminal justice system;
- (2) roles of criminal justice officials;
- (3) ethics and confidentiality;
- (4) duties and responsibilities;
- (5) victims bill of rights and related laws;
- (6) communication skills;
- (7) victim interaction;
- (8) dealing with difficult people, hostility and grief;
- (9) available resources;
- (10) developing supportive collaboration with other agencies;
- (11) victims compensation and other available financial assistance; and
- (12) responding to community crisis.

SECTION 5. Certification by the board shall be for a period of two (2) years, unless the Board de-certifies an individual. An individual may be re-certified by the Board every two (2) years upon application and verification of meeting the requirements of Section 3.

SECTION 6. For a period of two (2) years from this act becoming law, an individual who has a minimum of six (6) years paid or unpaid board-approved full-time work experience in the crime victim service field may substitute that experience for the course work required in Section 3 to achieve certification.

SECTION 7. The process for becoming a certified Victim Specialist shall be as follows:

- (a) The applicant shall obtain a board approved Application Kit containing information, an application and other necessary forms from the statewide Victim-Witness

Coordinator. If determined by the board, an application fee shall be paid in order to receive the Application Kit.

(b) Upon completion of the Application Kit, the applicant shall file the application and supporting documents evidencing completion of the requirements with the statewide Victim-Witness Coordinator. If determined by the board, a processing fee shall be paid in order to continue the process.

(c) Upon filing of the application and payment of any fees, the statewide Victim-Witness Coordinator shall forward information to the Tennessee Bureau of Investigation for verification that the applicant has no prior felony convictions and the applicant's educational level.

(d) Upon completion and filing of the Application Kit and verification of non prior felony convictions and educational level by the Tennessee Bureau of Investigation, the statewide Victim-Witness Coordinator shall cause the application to be placed on the agenda for the next meeting of the board. The board shall then certify for a period of two (2) years those applicants who have, to the board's satisfaction, met the requirements of this act, reject those who have not met said requirements or defer action for the receipt of additional information.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. This act shall take effect upon becoming law, the public welfare requiring it.